

09/845,454

F0662/ AMDP662US

REMARKS

Claims 1-9, 11-24, 26 and 27 are currently pending in the subject application and are presently under consideration. A version of all pending claims is found at pages 2-7. Claims 13, 23, and 27 have been amended herein. Applicants' representative notes with appreciation the indication that claims 1-9, 11-12, 26 have been deemed allowable.

Furthermore, Applicants' representative respectfully requests rejoinder of the non-elected method claims pursuant to MPEP §821.04 and 37 C.F.R. §1.121. In view of the following amendments and comments, the method claims 13-24 now recite "all limitations of the allowed patentable product" and meet the requirements of 35 U.S.C. §§101, 102, 103 and 112. To this end, rejoinder of method claims 13-24 is respectfully requested. In addition, claim 27 has been amended herein to incorporate all structural limitations recited in the allowed system claims and thus is also believed to be in condition for allowance. Favorable consideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claim 27 Under 35 U.S.C. §112, first paragraph

Claim 27 stands rejected under 35 U.S.C. §112, first paragraph as based on a disclosure which is not enabling. An etching component (i.e. "means for etching") and stored accepted etching parameters in the processor are critical or essential to the practice of the invention, but not included in the claim(s). Claim 27 has been amended to incorporate all structural limitations recited in the allowed system claims. Accordingly, withdrawal of this rejection is respectfully requested.

II. Rejection of Claim 27 Under 35 U.S.C. §112, second paragraph

Claim 27 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The means-plus-function format must be interpreted as corresponding to structures described in the specification or equivalents thereof. Claim 27 has been amended to incorporate all structural limitations recited in the allowed system claims. Accordingly, withdrawal of this rejection is respectfully requested.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [AMDP662US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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